

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HONEYWELL INTERNATIONAL, INC., a
Delaware corporation, INTERMEC, INC., a
Delaware corporation, and INTERMEC
TECHNOLOGIES CORPORATION, a
Washington corporation,

Plaintiffs,

v.

DR. PAUL MALTSEFF,
f/k/a Pavel Maltsev, an individual,

Defendant.

No. 2:14-cv-00283-JLR

**DECLARATION OF WILLIAM F.
CRONIN IN SUPPORT OF DEFENDANT'S
MOTION TO COMPEL AND FOR
FURTHER RELIEF RE: DISCOVERY**

I, William F. Cronin, hereby declare and state as follows:

1. I am an attorney with Corr Cronin Michelson Baumgardner & Preece LLP, counsel for Defendant Dr. Paul Maltseff in this action. I am competent to testify and submit this Declaration based upon personal knowledge.

2. I submit this declaration to respond to the statement made in Plaintiffs' Opposition to Defendant's Motion to Compel and for Further Relief Re: Discovery that "Honeywell's responses to Dr. Maltseff's discovery requests were further delayed because Dr. Maltseff's counsel took an unusually aggressive and drawn-out approach to negotiating the Stipulation for Protective

DECLARATION OF WILLIAM F. CRONIN RE:
DEFENDANT'S MOTION TO COMPEL AND FOR FURTHER
RELIEF RE: DISCOVERY - 1
No. 2:14-cv-00283-JLR

**CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP**
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

Order in this case.” I disagree with this statement, which is not supported by any declaration from Plaintiffs’ counsel. The protective order in this case was largely negotiated prior to Dr. Maltseff’s filing of his Motion for Summary Judgment. After that motion was denied, the parties resumed their efforts to prepare a stipulated order. That process was delayed because Plaintiffs demanded that the order contain a prosecution bar order that would preclude any person who accessed AEO information from prosecuting patent applications in broad technology spaces. Ultimately, Plaintiffs agreed to narrow this language.

3. Attached as Exhibit 1 is a copy of emails that I exchanged with Plaintiffs’ counsel Martin Chester on July 21, 2014. As shown on this exhibit, I urged Mr. Chester to “send the revised/confidentiality order that [they] promised.” Mr. Chester responded that same day, indicating that they would send the draft protective order “later today or tomorrow morning.” Mr. Chester further noted in that email: “Based on our last conversation in which we agreed to take out the provision to keep documents from Dr. Maltseff (while reserving our rights), the only thing at issue should be the patent prosecution bar order, which is new.”

4. The parties agreed to a stipulated protective order on August 1, although Plaintiffs did not serve their responses to Dr. Maltseff’s discovery requests until August 15, 2014.

I declare under penalty of perjury under the laws of the state of Washington and the United States of America that the foregoing is true and correct.

DATED this 10th day of September, 2014.

s/ William F. Cronin
William F. Cronin, WSBA No. 8667

CERTIFICATE OF SERVICE

I certify that on September 10, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record for the parties.

s/Leslie Nims

Leslie Nims

DECLARATION OF WILLIAM F. CRONIN RE:
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RELIEF RE: DISCOVERY - 3
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